

**RECORD OF PROCEEDINGS
OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

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April 17, 2006

The City Council of the City of Gardner, Kansas, met in regular session on Monday, April 17, 2006, at 7:00 p.m. in the Council Chambers at Gardner City Hall, 120 East Main Street, Gardner, Kansas, with the Honorable Mayor, Carol Lehman presiding. Present were Councilmembers Weisenburger, Breen, Peters, and Drovetta. Councilmember Raney was absent. City Staff present were City Administrator Fairburn, Assistant Administrator Mundt, Finance Director Gourley, Public Works Director Greene, Public Safety Director Francis, HR Director/City Clerk Scott, Parks and Recreation Director Stewart, Community Development Director Sherman, and City Attorney Hubbard. Others present included Judith Rogers, Ed and Janice James, Richard and Helen Long, P. Sue Donoho, Mike Zimmerman, Larry Hayes, Sheron Pancho, Taylor Cox, Vern Scherer, Jon Cox, Earl Allen Jr, and others.

CALL TO ORDER

There being a quorum of Councilmembers present, the meeting was called to order by Mayor Lehman at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Several Boy Scout members led those in attendance in the pledge of allegiance. They followed with the Scout oath.

PROCLAMATION – ARBOR DAY

Councilmembers joined with the Mayor in proclaiming April 28th as Arbor Day in the City of Gardner and congratulating the City on receiving its third Tree City USA Award from the National Arbor Day Foundation.

SESQUICENTENNIAL DONATION

Sue Donoho, Public Affairs Manager for Sprint presented Mayor Lehman with a donation in the amount of \$5,000.00 for the “Festival on the Trails” celebration being planned for 2007 in recognition of Gardner’s sesquicentennial.

PROCLAMATION – CRIME VICTIM’S RIGHTS WEEK

Councilmembers joined with the Mayor in honoring Crime Victims’ Rights Week from April 23 – 29, 2006

RETIREMENT

Councilmembers joined with the Mayor in recognizing Richard Long, City Engineer, for his retirement from the City of Gardner.

CONSENT AGENDA

Councilmember Weisenburger made a motion to approve the following items listed on the consent agenda:

1. Standing approval of the minutes as written for the regular meeting on April 3, 2006.
2. Standing approval of the expenditures prepared on March 30, 2006 in the amount of \$394,370.36 and for March Prepaids prepared on April 3, 2006 in the amount of \$816.13.
3. Consider authorizing the City Administrator to execute Amendment No. 1 to the engineering services contract for the North Moonlight Road Improvement Project with Olsson Associates, Inc.
4. Consider authorizing the City Administrator to execute Change Orders Nos. 1 and 2 to the construction contract with Bazin Excavating, Inc. for the University Park University Drive Improvement Benefit District.

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CONSENT AGENDA (Continued)

5. Consider authorizing the City Administrator to execute a contract with Cohorst Enterprises Excavating & Grading to replace the culvert on 175th street between Walter St. and Agnes St.

Councilmember Peters seconded the motion.

All of the members present voting in favor of the motion, the motion carried.

PUBLIC HEARING

Mayor Lehman opened a public hearing for the purpose of hearing input from citizens regarding entering into a proposed loan agreement with the Kansas Department of Health and Environment for a water pollution control revolving loan to fund the Bull Creek Lift Station conversion. Finance Director Gourley read the project scope aloud.

Judith Rogers, Gardner, asked what the interest rate was on the loan and what the total cost for the project would be. Staff will provide available information.

Councilmember Drovetta made a motion to close the public hearing. Councilmember Peters seconded the motion.

All of the members present voting in favor of the motion, the motion carried.

KDHE WATER POLLUTION CONTROL REVOLVING FUND

Councilmember Weisenburger made a motion to adopt a resolution authorizing the completion of an application to the Kansas Department of Health and Environment regarding a loan from the Kansas Water Pollution Control Revolving Loan Fund. Councilmember Breen seconded the motion.

On a roll call the vote was: Weisenburger, yes; Breen, yes; Peters yes; and Drovetta, yes. All of the members present voting in favor of the motion, the resolution was adopted and assigned No. 1700.

MUNICIPAL POOL IMPROVEMENTS

Councilmember Peters made a motion to adopt a resolution authorizing the City of Gardner, Kansas to make certain public building improvements and authorizing the issuance of General Obligation bonds of the City to pay the costs thereof, all pursuant to K.S.A. 12-1736 et seq. (Municipal Pool Improvements). Councilmember Drovetta seconded the motion.

On a roll call the vote was: Peters, yes; Drovetta, yes; Breen, yes; and Weisenburger, yes. All of the members present voting in favor of the motion, the resolution was adopted and assigned No. 1701.

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GENERAL OBLIGATION BONDS - WATER SYSTEM IMPROVEMENTS

Councilmember Drovetta made a motion to pass an ordinance authorizing the issuance of General Obligation bonds in an amount not to exceed \$3,470,000 to pay the cost of certain improvements to the City's water system all pursuant to Charger Ordinance No. 12 of the city of Gardner, Kansas (water tower). Councilmember Peters seconded the motion.

On a roll call the vote was: Drovetta, yes; Peters, yes; Weisenburger yes; and Breen, yes. All of the members present voting in favor of the motion, the ordinance was passed and assigned No. 2191.

TEMPORARY NOTE REDEMPTION - ELECTRIC SUBSTATION 3

Councilmember Drovetta made a motion to authorize the redemption of \$3,240,000 of Series 2005B temporary notes, and waive any notice of redemption, on or around June 16, 2006. Councilmember Breen seconded the motion.

All of the members present voting in favor of the motion, the motion carried.

GENERAL OBLIGATION NOTES AND BONDS

Councilmember Peters made a motion to adopt a resolution authorizing the offer for sale of certain General Obligation Notes (Series 2006B) and Bonds (Series 2006A) of the City of Gardner, Kansas. Councilmember Breen seconded the motion.

On a roll call the vote was: Peters, yes; Breen, yes; Drovetta yes; and Weisenburger, yes. All of the members present voting in favor of the motion, the resolution was adopted and assigned No. 1702.

PROPERTY ANNEXATION

Councilmember Weisenburger made a motion to pass an ordinance approving the annexation of approximately 8.85 acres of property platted as Lot 1, Chandlor Farms, located at 29960 W. 191st Street into the city limits of the City of Gardner. Councilmember Breen seconded the motion.

On a roll call the vote was: Weisenburger, yes; Breen, yes; Peters yes; and Drovetta, yes. All of the members present voting in favor of the motion, the ordinance was passed and assigned No. 2192.

NATIONAL INCIDENT MANAGEMENT SYSTEM

Councilmember Peters made a motion to adopt a resolution authorizing the City of Gardner, Kansas, to adopt the National Incident Management System (NIMS) as the basis for incident management. Councilmember Weisenburger seconded the motion.

On a roll call the vote was: Peters, yes; Weisenburger, yes; Breen yes; and Drovetta, yes. All of the members present voting in favor of the motion, the resolution was adopted and assigned 1703.

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AIRPORT MAINTENANCE AGREEMENT

Councilmember Weisenburger made a motion to authorize the City Administrator to execute an Airport Maintenance Agreement with the Secretary of Transportation for the State of Kansas for a runway maintenance project at the Gardner Municipal Airport. Councilmember Drovetta seconded the motion.

All of the members present voting in favor of the motion, the motion carried.

JANITORIAL SERVICE CONTRACT

Councilmembers considered proposals for janitorial service and the staff recommendation to go with the low bid from Clean as a Whistle. Councilmember Drovetta stated he had no problem with the current service and, with the impending hiring of a facilities manager, would rather not change. Councilmember Peters stated she was familiar with Clean as a Whistle and that she, too, preferred to stay with the current provider.

Councilmember Drovetta made a motion to authorize the City Administrator to enter into a contract for janitorial service with Right Way for one year beginning May 1, 2006, for a monthly fee of \$3,750.00. Councilmember Peters seconded the motion.

All of the members present voting in favor of the motion, the motion carried.

EXECUTIVE SESSION

Councilmember Drovetta made a motion to enter into an executive session from 7:50 p.m. until 8:10 p.m. for the purchase of discussing land purchase. Councilmember Breen seconded the motion.

All of the members present voting in favor of the motion, the motion carried.

Regular session resumed at 8:10 p.m.

There being no further business to come before the Council, on a motion duly made and seconded, the meeting adjourned at 8:10 p.m.

Gwen Scott, HR Director / City Clerk